

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

CHASKIN WELLS CORPORATION,)
)
Plaintiff,)
)
v.) No. 3:03-CV-422
) (Phillips/Shirley)
REILY FOODS COMPANY,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by Order [Doc. 22] of the Honorable Thomas W. Phillips, United States District Judge, for disposition of the defendant's Motion to Compel. [Doc. 21].

The defendant moves the Court for an Order compelling the plaintiff to respond to the defendant's interrogatories and requests for production of documents, which were served on March 3, 2005. [Doc. 21]. The defendant's counsel states in the motion that he has made several attempts to confer with the plaintiff's counsel, but has been unable to obtain the requested discovery without court intervention.

The plaintiff failed to file a response to the defendant's motion within the time period required by E.D.TN. LR 7.1(a). "Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought." E.D.TN. LR 7.2. Accordingly, for good cause shown, the defendant's Motion to Compel [Doc. 21] is **GRANTED**. The plaintiff is **DIRECTED** to respond

to the defendant's interrogatories and requests for production of documents served on March 3, 2005 within ten (10) days of the entry of this Order.

The plaintiff is hereby put on notice that failure to cooperate in discovery and to follow the Orders of this Court may result in monetary sanctions and possibly the dismissal of this lawsuit. See Fed. R. Civ. P. 37(b)(2)(C).

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge